

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

TORY BURCH LLC; RIVER LIGHT V,
L.P.

Plaintiffs

v.

YONG SHENG INTERNATIONAL
TRADE CO., LTD; CONGDADA PENA;
BINGFENG QUI; LI YAXIACHAI; LI BIN;
et al.

Defendants.

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CIVIL ACTION NO.: 10-cv-9336 (DAB)

**[FILED UNDER SEAL PURSUANT TO
15 U.S.C. § 1116]**

**SUPPLEMENTAL DECLARATION OF MATTHEW HEWLETT IN SUPPORT OF
PLAINTIFFS' *EX PARTE* APPLICATION FOR A TEMPORARY RESTRAINING
ORDER, ORDER TO DISABLE CERTAIN WEB SITES, ASSET RESTRAINING
ORDER, EXPEDITED DISCOVERY ORDER AND ORDER TO SHOW CAUSE FOR
PRELIMINARY INJUNCTION**

MATTHEW HEWLETT, under penalty of perjury, declares and says:

1. I am a private investigator licensed by the State of North Carolina and employed by Vaudra, Ltd. ("Vaudra"), a North Carolina-based investigation company. I have been employed as a private investigator, focusing on trademark infringement for the past six years. I have been employed by Vaudra since October 2009. I have conducted and/or participated in approximately four hundred trademark investigations involving counterfeit goods, including those sold on the Internet. I am very familiar with investigations regarding counterfeit footwear and apparel, among other goods. I am also very familiar with investigations regarding "rogue" web sites -- that is, sites that appear to be web stores

operated by a particular brand, often using the name of the brand in the site's domain name, which claim to sell authentic goods of that brand but that are in fact selling counterfeit products.

2. This declaration supplements my earlier declaration in this matter, dated December 10, 2010, on behalf of Plaintiffs Tory Burch LLC and River Light V, L.P. (collectively, "Tory Burch" or "Plaintiffs") in support of their *ex parte* Application for a Temporary Restraining Order, Order to Disable Certain Web Sites, Asset Restraining Order, Expedited Discovery Order and Order to Show Cause for Preliminary Injunction against YONG SHENG INTERNATIONAL TRADE CO., LTD; CONGDADA PENA; BINGFENG QUI; LI YAXIACHAI; LI BIN; et al. (collectively, "Defendants").

3. The following actions were undertaken by myself, or in conjunction with other Vaudra investigators under my review. If called upon as a witness, I could testify to the following from personal knowledge and/or a review of business files.

4. As a licensed private investigator, I am familiar with the methods for locating identifiable addresses from target defendants and then analyzing whether these addresses are valid including addresses located in the United States and China.

5. As **Exhibit B** to my earlier declaration, Vaudra identified various contact information that I was able to locate about each of the forty-one (41) Defendants from whom Vaudra purchased footwear and other merchandise sold as genuine "Tory Burch" goods as part of the investigation discussed in my earlier declaration.

6. Over the course of the past two months, I, or another Vaudra investigator, have communicated and interacted with each of the forty-one Defendants in this action, via email and over the Defendant's web sites, under the pretext of being a customer interested in

buying Tory Burch products. Over the course of these communications, at no time has Vaudra learned of any personally identifiable information or physical addresses associated with any Defendant that are believed to be valid or accurate.

7. On December 15, 2010, Tory Burch's outside counsel, Greenberg Traurig ("GT"), requested that I provide additional information about Vaudra's investigation into each Defendant as well as various identification information and addresses associated with each Defendant. Tory Burch's outside counsel also provided me with additional names and addresses from shipping labels translated from Chinese. The following is a summary of my investigative findings, over the course of this investigation into each Defendant and its various contact information.

8. I examined the website toryburchus.com and determined that it did not contain any identifiable address or other information sufficient to determine the physical location of the website's operator. I also examined the identification information provided in the WhoIs database for this domain and found the following listed as the address of the registrant of the website, "Sheng Yong, 6F, Henghui Building, mid Meiyuan." I have determined that this address is invalid since a valid address in China must include a city and street name and building name or number and room number. This address contains no discernible city or street name. Furthermore, I examined the shipping label that was received with the Tory Burch merchandise, later identified as counterfeit ("Counterfeit Product") associated with this Defendant and found that the only information listed regarding the shipper's address was "Shanghai, China." Clearly, this is not a complete, valid address because the purported address contains no discernible street name or building name or number. I have been unable to identify a legitimate address associated with this Defendant.

9. I examined the website toryburchstores.com and determined that it did not contain any identifiable address or other information sufficient to determine the physical location of the website's operator. I also examined the identification information provided in the WhoIs database for this domain and found the following listed as the address of the registrant of the website, "Chidsalk Street, New York, NY 53465." I determined that this address is invalid because no such street exists in New York, NY. Furthermore, 53465 is not a valid postal code for New York, NY. I also examined the translation of the address, provided by GT, contained on the shipping label that was received with the Counterfeit Product associated with this Defendant. The listed address translated to "Ziyao Denju Limited Company, Shunmin Branch Company." This address is invalid because it does not contain a valid city, street, building name or number. Nevertheless, I attempted to search for these addresses using public database searches and other investigative techniques and did not find any valid locations identified with these purported addresses. Upon information and belief, I have determined that these addresses are not actually associated with a physical location. I have been unable to identify a legitimate address associated with this Defendant.

10. I examined the website toryburchbest.com and determined that it did not contain any identifiable address or other information sufficient to determine the physical location of the website's operator. I also examined the identification information provided in the WhoIs database for this domain and found the following listed as the address of the registrant of the website, "Xiamen Xian Lian Li 28 A415, Xiamenshi, Fujian, China 361000." The address is invalid because a valid address in China must include a city name, street name, building name or number and room number. Although Xiamen is a city in China, this address contains no discernible street name or building name or number.

Furthermore, I examined the translation of the address, provided by GT, contained on the shipping label that was received with the Counterfeit Product associated with this Defendant. The listed address translated to “Yuhong Zhanshan No 5.” This address is invalid because it does not contain a valid city, postal code, street or building name. Nevertheless, I attempted to search for these addresses using public database searches and other investigative techniques and did not find any valid locations identified with these purported addresses. Upon information and belief, I have determined that these addresses are not actually associated with a physical location. I have been unable to identify a legitimate address associated with this Defendant.

11. I examined the website toryburchok.com and determined that it did not contain any identifiable address or other information sufficient to determine the physical location of the website’s operator. I also examined the identification information provided in the WhoIs database for this domain and found the following listed as the address of the registrant of the website, “Zhongshanglu, Putian, FJ, 345345, CN” The address is invalid because a valid address in China must include a city name, street name, building name or number and room number. Although Putian is a city in China, this address contains no discernible street name or building name or number. Nevertheless, I attempted to search for this address using public database searches and other investigative techniques and did not find any valid locations identified with this purported address. Upon information and belief, I have determined that this address is not actually associated with a physical location. I have been unable to identify a legitimate address associated with this Defendant.

12. I examined the website toryburchbrand.com and determined that it did not contain any identifiable address or other information sufficient to determine the physical

location of the website's operator. I also examined the identification information provided in the WhoIs database for this domain and found the following listed as the address of the registrant of the website, "Putian, FJ, 345345, CN." This address is invalid because it contains no discernible street name or building name or number. Furthermore, I examined the translation of the address, provided by GT, contained on the shipping label that was received with the Counterfeit Product associated with this Defendant. The listed address translated to "Putian City, Hanjiang District Handong Jiedao Ban Zuobo Weiyuan Hui 7." This address is invalid because it does not contain a valid street name, building name or number. Nevertheless, I attempted to search for other addresses associated with this Defendant using public database searches and other investigative techniques and did not find any valid locations identified with this Defendant or domain. I have been unable to identify a legitimate address associated with this Defendant.

13. I examined the website toryburchbag.com and determined that it did not contain any identifiable address or other information sufficient to determine the physical location of the website's operator. I also examined the identification information provided in the WhoIs database for this domain and found the following listed as the address of the registrant of the website, "nan jing road 2001#, shanghai, shanghai 20000, China." I determined that this address is invalid. Although Shanghai is a city in China, this address contains no discernible building name or number. Furthermore, I examined the translation of the address, provided by GT, contained on the shipping label that was received with the Counterfeit Product associated with this Defendant. The address provided was "Changsha China" and "Dong Biao Trade Company." This address is invalid because it does not contain a valid city, street, building name or number. Nevertheless, I attempted to search for

these addresses using public database searches and other investigative techniques and did not find any valid locations identified with these purported addresses. Upon information and belief, I have determined that these addresses are not actually associated with a physical location. I have been unable to identify a legitimate address associated with this Defendant.

14. I examined the website toryburchcom.com and determined that it did not contain any identifiable address or other information sufficient to determine the physical location of the website's operator. I also examined the identification information provided in the WhoIs database for this domain and found the following listed as the address of the registrant of the website, "San Yuan Li Da Dao 1120, Guangzhou, China 510000." I have determined that this address is invalid. Although Guangzhou is a city in China, this address contains no discernible street name or building name or number. Furthermore, I examined the shipping label that was received with the Counterfeit Product associated with this website and found that the address listed was "Zhoutian, No. 98, Junghu Road, DongGuan, China." I have determined that this address is invalid. Although DongGuan is a city in China, this address contains no discernible building name. Nevertheless, I attempted to search for both of these addresses using public database searches and other investigative techniques and did not find any valid locations identified with the purported addresses. Upon information and belief, I have determined that these addresses are not actually associated with a physical location. I have been unable to identify a legitimate address associated with this Defendant.

15. I examined the website toryburchshops.com and determined that it did not contain any identifiable address or other information sufficient to determine the physical location of the website's operator. I also examined the identification information provided in the WhoIs database for this domain and found the following listed as the address of the

registrant of the website, “hong shan luo shi nang lu, wuhanshi, Hubei 351111.” I determined that this address is invalid. Although Hubei is a province in China, this address contains no discernible street name, building name or number, or city name. “Wuhanshi” is not a valid city located within the province of Hubei or in the country China. Nevertheless, I attempted to search for this address using public database searches and other investigative techniques and did not find any valid locations identified with this purported address. Upon information and belief, I have determined that this address is not actually associated with a physical location. I have been unable to identify a legitimate address associated with this Defendant.

16. I examined the website toryburch-mall.com and determined that it did not contain any identifiable address or other information sufficient to determine the physical location of the website’s operator. I also examined the identification information provided in the WhoIs database for this domain and found that the domain utilizes a privacy service to conceal the identity information of the domain’s registrant. Instead, the WhoIs database simply displays the address information for “Domain Privacy,” a third party company who provides the privacy service so that the registrant’s address is not apparent from the WhoIs database. I did not contact Domain Privacy because my understanding of this entity’s policies is that it will not release the registration information of its customer without making them aware of an allegation of intellectual property rights violation, which might have alerted the Defendant about this investigation. I have been unable to identify a legitimate address associated with this Defendant.

17. I examined the website toryshoes.com and determined that it did not contain any identifiable address or other information sufficient to determine the physical location of

the website's operator. I also examined the identification information provided in the WhoIs database for this domain and found the following listed as the address of the registrant of the website, "putian, fujian, china 123456." I determined that this address is invalid because it contains no discernible street name, building name or number. Nevertheless, I attempted to search for other addresses associated with this website using public database searches and other investigative techniques and did not find any valid locations identified with the domain. I have been unable to identify a legitimate address associated with this Defendant.

18. I examined the website toryburch2011.com and determined that it did not contain any identifiable address or other information sufficient to determine the physical location of the website's operator. I also examined the identification information provided in the WhoIs database for this domain and found the following listed as the address of the registrant of the website, "#401 Tong Road, Hongkong, China 999077." The address is invalid because legitimate addresses in Hong Kong do not include "China" in the postal information. Nevertheless, I attempted to search for this address using public database searches and other investigative techniques and did not find any valid locations identified with this purported address. Upon information and belief, I have determined that this address is not actually associated with a physical location. I have been unable to identify a legitimate address associated with this Defendant.

19. I examined the website toryburchsaler.com and determined that it did not contain any identifiable address or other information sufficient to determine the physical location of the website's operator. I also examined the identification information provided in the WhoIs database for this domain and found the following listed as the address of the registrant of the website, "xiamen jimei, xiamen, china 361021." This address is invalid

because it contains no discernible street name or building name or number. Nevertheless, I attempted to search for other addresses associated with this website using public database searches and other investigative techniques and did not find any valid locations identified with the domain. I have been unable to identify a legitimate address associated with this Defendant.

20. I examined the website discounttoryburch.com and determined that it did not contain any identifiable address or other information sufficient to determine the physical location of the website's operator. I also examined the identification information provided in the WhoIs database for this domain and found the following listed as the address of the registrant of the website, "FJPT, FJPT 351100, China." The address is invalid because it does not contain a valid city, street, building name or number. Furthermore, I examined the translation of the address, provided by GT, contained on the shipping label that was received with the Counterfeit Product associated with this Defendant. The listed address translated to "China Fujian Province Putian." This address is invalid because it does not contain a valid city, street, building name or number. Nevertheless, I attempted to search for other addresses associated with this website using public database searches and other investigative techniques and did not find any valid locations identified with the domain. I have been unable to identify a legitimate address associated with this Defendant.

21. I examined the website toryburch-outlet.com and determined that it did not contain any identifiable address or other information sufficient to determine the physical location of the website's operator. I also examined the identification information provided in the WhoIs database for this domain and found the following listed as the address of the registrant of the website, "Chenqiaolu, Dashaping, Hubei, 200030, CN." I have determined

that this address is invalid. Although Dashaping is a city in China, this address contains no discernible street or building name or number. Furthermore, I examined the translation of the address, provided by GT, contained on the shipping label that was received with the Counterfeit Product associated with this Defendant. The listed address translated to “No. 33 Qiandong, Yangban Village Duwei Zhen, Baiyou Xian, Putian, Fujian Province, China.” I have determined that this is not a valid address because I have been unable to identify a physical location associated with “No. 33 Qiandong, Yangban Village Duwei Zhen, Baiyou Xian” in the city of Putian, China. Nevertheless, I attempted to search for these addresses using public database searches and other investigative techniques and did not find any valid locations identified with these purported addresses. Upon information and belief, I have determined that these addresses are not actually associated with a physical location. I have been unable to identify a legitimate address associated with this Defendant.

22. I investigated Defendant Jiaxontong Import & Export Co. Ltd. (“Jiaxontong”) and determined that the company purports to be located at “No. 3 Building, No. 607 Junyuan 2nd rd., Xinglin Xiamen City, Fujian, China.” However, I have determined that this is not a valid address. Although Xiamen is a city located in the Fujian province of China, I was unable to identify a physical location associated with “No. 3 Building, No. 607 Junyuan 2nd rd.” I also examined the website handbag77.com, associated with Jiaxontong, and determined that it did not contain any identifiable address or other information sufficient to determine the physical location of the website’s operator. I also examined the identification information provided in the WhoIs database for the domain and found the following listed as the address of the registrant of the website, “Fu Zhoud 351100 FJ CN.” The address is invalid because it does not contain a valid city, street, building name or number.

Furthermore, I examined the shipping label that was received with the Counterfeit Product associated with this website and found that the address listed was “Rm. 6178 MaWang Dui Grouijo Building, ChengSha, Hunan, China 0023.” My investigation determined that it is not actually associated with a physical location likely because, among other things, the postal code is incomplete. Nevertheless, I attempted to search for all of these addresses using public database searches and other investigative techniques and did not find any valid locations identified with the purported addresses. Upon information and belief, I have determined that these addresses are not actually associated with a physical location. I have been unable to identify a legitimate address associated with this Defendant.

23. I investigated Defendant Key Wholesale.com Inc. (“Key Wholesale”) and keywholesaleinc.com, the website associated with Key Wholesale, and was unable to determine any identifiable address or other information sufficient to determine the physical location of the Defendant or the website’s operator. I also examined the identification information provided in the WhoIs database for keywholesaleinc.com and found that the domain utilizes a privacy service to conceal the identity information of the domain’s registrant. Instead, the WhoIs database simply displays the address information for “WhoIs Privacy Protection Service, Inc.,” a third party company who provides the privacy service so that the registrant’s address is not apparent from WhoIs. I did not contact WhoIs Privacy Protection Service, Inc. because my understanding of this entity’s policies is that it will not release the registration information of its customer without making them aware of an intellectual property rights violation, which might have alerted the Defendant about this investigation. I have been unable to identify a legitimate address associated with this Defendant.

24. I examined the website designerhandbags8.com and determined that it did not contain any identifiable address or other information sufficient to determine the physical location of the website's operator. I also examined the identification information provided in the WhoIs database for this domain and found the following listed as the address of the registrant of the website, "Guangzhou, Guangzhou, 510000 China." I have determined that this is not a valid address because it contains no discernible street name or building name or number. Nevertheless, I attempted to search for other addresses associated with this website using public database searches and other investigative techniques and did not find any valid locations identified with the domain. I have been unable to identify a legitimate address associated with this Defendant.

25. I examined the website freeshippinghandbag.com and determined that it did not contain any identifiable address or other information sufficient to determine the physical location of the website's operator. I also examined the identification information provided in the WhoIs database for this domain and found that the domain utilizes a privacy service to conceal the identity information of the domain's registrant. Instead, the WhoIs database simply displays the address information for "HostMonster.com" a company who provides hosting services to domain names. It is likely that this domain utilizes a third party company to provide a privacy service so that the registrant's address is not apparent from the WhoIs database. Furthermore, I examined the translation of the address, provided by GT, contained on the shipping label that was received with the Counterfeit Product associated with this Defendant. The listed address translated to "Guangzhou Hantong Shangwu Fuwu Limited Company, No 3 Ronghu Nan Yuexiu District, Guangzhou, China." I was unable to identify a physical location associated with this purported address. Nevertheless, I attempted to

search for additional address information for this domain, but I have been unable to identify a legitimate address associated with this Defendant.

26. I examined the website eluxuryclothing.com and determined that it did not contain any identifiable address or other information sufficient to determine the physical location of the website's operator. I also examined the identification information provided in the WhoIs database for this domain and found the following listed as the address of the registrant of the website, "Fujian Putian, Fujian CN 351100." This is not a valid address because it contains no discernible street name or building name or number. I also examined the shipping label that was received with the Counterfeit Product associated with this website and found that the address listed was "No. 899 Honggqi Road Huzhou, China 54541." I have determined that this is not a valid address. Nevertheless, I attempted to search for this address using public database searches and other investigative techniques and did not find any valid locations identified with this purported address. Upon information and belief, I have determined that this address is not actually associated with a physical location. I have been unable to identify a legitimate address associated with this Defendant.

27. I examined the website hotsdeal.com and determined that it did not contain any identifiable address or other information sufficient to determine the physical location of the website's operator. I also examined the identification information provided in the WhoIs database for this domain and found the following listed as the address of the registrant of the website, "Beijing, China." This address is invalid because it does not contain a valid street, building name or number. I also examined the shipping label that was received with the Counterfeit Product associated with this website and found that the address listed was "P.O. Box 93-005, Shanghai, China." I have determined that this is not a valid address.

Nevertheless, I attempted to search for this address using public database searches and other investigative techniques and did not find any valid locations identified with this purported address. Furthermore, the only information that my investigation discovered with regards to this purported address was online consumer complaints from various individuals who listed this P.O. Box as the address given on various counterfeit products that they have received from online purchases. Upon information and belief, I have determined that this address is not actually associated with a physical location. I have been unable to identify a legitimate address associated with this Defendant.

28. I examined the website louboutintime.com and determined that it did not contain any identifiable address or other information sufficient to determine the physical location of the website's operator. I also examined the identification information provided in the WhoIs database for this domain and found that the domain utilizes a privacy service to conceal the identity information of the domain's registrant. Instead, the WhoIs database simply displays the address information for "HostMonster.com" a company who provides hosting services to domain names. I also examined the translation, provided by GT, of the shipping label that was received with the Counterfeit Product associated with this Defendant; however the shipping label did not contain a purported address. Nevertheless, I attempted to search for additional address information for this domain, but I have been unable to identify a legitimate address associated with this Defendant.

29. I examined the website onestop-onlineshopping.com and determined that it did not contain any identifiable address or other information sufficient to determine the physical location of the website's operator. I also examined the identification information provided in the WhoIs database for this domain and found that the domain utilizes a privacy service to

conceal the identity information of the domain's registrant. Instead, the WhoIs database simply displays the address information for "FastDomain.com" a company who provides hosting services to domain names. I also examined the shipping label that was received with the Counterfeit Product associated with this website and found that the address listed was "Shanghai, China." This is not a valid address because it contains no discernible street name or building name or number. Nevertheless, I attempted to search for additional address information for this domain, but was unable to identify a legitimate address associated with this website. Upon information and belief, I have determined that these addresses are not actually associated with a physical location.

30. I investigated Defendant Topshoestobags Trade Co. Ltd. ("Topshoestobags") and determined that the company purports to be located at "250 FuXing Xiao Dong Meng Street, Xiamen, Fujian, China 351100." However, I determined that this address is invalid. Although Xiamen is a city located in the Fujian province of China, I was unable to identify a physical location associated with "250 FuXing Xiao Dong Meng Street." I examined the website topshoestobags.com, associated with Topshoestobags, and determined that it did not contain any identifiable address or other information sufficient to determine the physical location of the website's operator. I also examined the identification information provided in the WhoIs database for the domain and found the following listed as the address of the registrant of the website, "Putian, Putian 351100, FJ, CN." The address is invalid because it does not contain a valid city, street, building name or number. Nevertheless, I attempted to search for additional address information for this company, but was unable to identify a legitimate address associated with Topshoestobags. Upon information and belief, I have

determined that these addresses are not actually associated with a physical location. I have been unable to identify a legitimate address associated with this Defendant.

31. I investigated Defendant Ugglouboutin Co Ltd. (“Ugglouboutin”) and determined that the company purports to be located at “Zhan xi street No. A10, Guangzhou, Guangdong 510000 China.” However, I determined that this address is invalid. Although Guangzhou is a city located in China, I was unable to identify a physical location associated with “Zhan xi street No. A10.” I also examined the website ugglouboutin.com, associated with Ugglouboutin, and determined that it did not contain any identifiable address or other information sufficient to determine the physical location of the website’s operator. I also examined the identification information provided in the WhoIs database for the domain and found the following listed as the address of the registrant of the website, “no.505 zhanxi street, guangzhou, guangzhou 51000 China.” I was unable to identify a physical location associated with “no.505 zhanxi street.” Nevertheless, I attempted to search for these addresses using public database searches and other investigative techniques and did not find any valid locations identified with these purported addresses. Upon information and belief, I have determined that these addresses are not actually associated with a physical location. I have been unable to identify a legitimate address associated with this Defendant.

32. I investigated Defendant Guangzhou Fashionpursue Trade Co Ltd. (“Fashionpursue”) and determined that the company purports to be located at “West Zhongshan Road, Guangzhou, Guangdong, China 51000.” However, I determined that this address is invalid. Although Guangzhou is a city located in China, I was unable to identify a physical location associated with “West Zhongshan Road” likely because the purported address does not contain a building name or number. I examined the website

fashionpursue.com, the domain associated with Fashionpursue, and determined that it did not contain any identifiable address or other information sufficient to determine the physical location of the website's operator. I also examined the identification information provided in the WhoIs database for the domain and found the following listed as the address of the registrant of the website, "guangzhou, guangzhou, 36012 CN." The address is invalid because it does not contain a valid street, building name or number. I also examined the shipping label that was received with the Counterfeit Product associated with this website and found that the address listed was "135 Zhong Shan Sun Wen Road Building No. 12, China 246 GP2." I determined that this is not a valid address because I was unable to identify a physical location associated with "135 Zhong Shan Sun Wen Road Building No. 12." Nevertheless, I attempted to search for these addresses using public database searches and other investigative techniques and did not find any valid locations identified with these purported addresses. Upon information and belief, I have determined that these addresses are not actually associated with a physical location. I have been unable to identify a legitimate address associated with this Defendant.

33. I investigated Defendant Sports Series Trade Co. Ltd. ("Sports Series Trade") and determined that the company purports to be located at "No. 36 Beijing Rd., Panlong District, Kunming, Yunnan, China 650224." However, I determined that this address is invalid. Although Yunan is a city located in China, I was unable to identify a physical location associated with "No. 36 Beijing Rd., Panlong District, Kunming, Yunnan, China 650224." Vaudra's investigation also found the following purported telephone number associated with Sports Series Trade, "86-0-13607549725." I tried to contact Sports Series Trade by calling this phone number numerous times; however, each and every time I tried to

place a call, I received a busy signal. I examined the website maiditrade.com, associated with Sports Series Trade, and determined that it did not contain any identifiable address or other information sufficient to determine the physical location of the website's operator. I also examined the identification information provided in the WhoIs database for the domain and found the following listed as the address of the registrant of the website, "Putian, FJ, China 351100." The address is invalid because it does not contain a valid street, building name or number. Furthermore, I examined the translation of the address, provided by GT, contained on the shipping label that was received with the Counterfeit Product associated with this Defendant. The listed address translated to "135 Zhong Shan Fu Wen East Road Buiding, NO. 110." This address is invalid because it does not contain a valid city, province or postal code. Upon information and belief, I have determined that these addresses are not actually associated with a physical location. Nevertheless, I attempted to search for additional address information for this company, but I have been unable to identify a legitimate address associated with Sports Series Trade.

34. I examined the website wholesaleuslive.com and determined that it purports to conduct business at "7#, Huangxing Building, Fengze District, Quanzhou, China 362000." However, I have determined that this address is not actually associated with a physical location. I also examined the identification information provided in the WhoIs database for this domain and found that the domain utilizes a privacy service to conceal the identity information of the domain's registrant. Instead, the WhoIs database simply displays the address information for "FastDomain.com" a company who provides hosting services to domain names. Nevertheless, I attempted to search for additional address information for this domain, but was unable to identify a legitimate address associated with this Defendant.

35. Vaudra investigated Defendant “Jesski2010” and was unable to identify any identifiable address or other information sufficient to determine the physical location of this individual or company. The only identification information that Vaudra has been able to obtain for this Defendant is his email address.

36. I investigated Defendant Fashion866 Trade Co., Ltd (“Fashion866”) and was unable to identify any identifiable address or other information sufficient to determine the physical location of the company. I examined the website fashion866.com, the domain associated with Fashion866, and determined that it did not contain any identifiable address or other information sufficient to determine the physical location of the website’s operator. I also examined the identification information provided in the WhoIs database for the domain and found the following listed as the address of the registrant of the website, “Zitong County, Sichuan Province, Xiu Tong Xian, Sichuan, China 622150.” The address is invalid because it does not contain a valid street, building name or number. Furthermore, I examined the translation, provided by GT, of the shipping label that was received with the Counterfeit Product associated with this Defendant; however the shipping label did not even contain a purported address. Nevertheless, I attempted to search for additional address information for this company, but was unable to identify a legitimate address associated with Fashion866. I have been unable to identify a legitimate address associated with this Defendant.

37. I investigated Defendant Fashionholic Co. Ltd (“Fashionholic”) and determined that it purports to conduct business at “210 Huayu Shoes Plaza, Ezhangton Huganzhou, Guangdong China.” However, I have determined that this address is not actually associated with a physical location, likely because, among other things, it does not contain a valid postal code. I examined the website Fallinfashion.com, associated with Fashion866, and

determined that it did not contain any identifiable address or other information sufficient to determine the physical location of the website's operator. I also examined the identification information provided in the WhoIs database for the domain and found the following listed as the address of the registrant of the website, "Hu Li, Xia Men Fu Jian, 510515, CN." I have determined that address is invalid because it does not contain a valid street, building name or number. Nevertheless, I attempted to search for additional address information for this company, but was unable to identify a legitimate address associated with Fashionholic. Upon information and belief, I have determined that these addresses are not actually associated with a physical location. I have been unable to identify a legitimate address associated with this Defendant.

38. I investigated Defendant Xiamen Shinson Trading Co. Ltd ("Xiamen Shinson") and determined that it purports to conduct business at "Room 201, No. 36 Nanshan Road, Xiamen, Fujian, China 361009." However, I have determined that this address is not actually associated with a physical location. Vaudra's investigation also found the following purported telephone number associated with Xiamen Shinson, "86-592-6789761." I tried to contact Xiamen Shinson by calling this phone number; however, I learned that this phone number had been disconnected. I examined the website wholesale-go.com, associated with Xiamen Shinson, and determined that it did not contain any identifiable address or other information sufficient to determine the physical location of the website's operator. I also examined the identification information provided in the WhoIs database for the domain and found the following listed as the address of the registrant of the website, "Lichengqu, Putiansh, Fujianshing, China 351100." The address is invalid because it does not contain a valid street, building name or number. Nevertheless, I attempted to search for additional

address information for this company, but was unable to identify a legitimate address associated with Xiamen Shinson. Upon information and belief, I have determined that these addresses are not actually associated with a physical location. I have been unable to identify a legitimate address associated with this Defendant.

39. I investigated Defendant Jack Smiths and was unable to identify any identifiable address or other information sufficient to determine the physical location of the Defendant. I examined the website shoestorecn.com, associated with Jack Smiths, and determined that it did not contain any identifiable address or other information sufficient to determine the physical location of the website's operator. I also examined the identification information provided in the WhoIs database for the domain and found the following listed as the address of the registrant of the website, "ruanjianyuanxiamenfujian, xiamen, fujian 351000, China." The address is invalid because it does not contain a valid street, building name or number. Nevertheless, I attempted to search for additional address information for this Defendant, but was unable to identify a legitimate address associated with Jack Smiths. Upon information and belief, I have determined that this address is not actually associated with a physical location. I have been unable to identify a legitimate address associated with this Defendant.

40. I examined the website toryburchflatssale.com and determined that it did not contain any identifiable address or other information sufficient to determine the physical location of the website's operator. I also examined the identification information provided in the WhoIs database for this domain and found the following listed as the address of the registrant of the website, "trade, Beijing, CN, 120050." The address is invalid because it contains no discernible street or building name or number. Nevertheless, I attempted to

search for other addresses associated with this website using public database searches and other investigative techniques and did not find any valid locations identified with the domain. I have been unable to identify a legitimate address associated with this Defendant.

41. I examined the website toryburchoutletshop.com and determined that it did not contain any identifiable address or other information sufficient to determine the physical location of the website's operator. I also examined the identification information provided in the WhoIs database for this domain and found the following listed as the address of the registrant of the website, "72, Eest HaiBing Rd, Jiulong Hong Kong, hongkong, HK, 10000, CN." The address is invalid because, among other things, valid addresses located in Hong Kong do not include a reference to China ("CN"). Nevertheless, I attempted to search for this address using public database searches and other investigative techniques and did not find any valid locations identified with this purported address. Upon information and belief, I have determined that this address is not actually associated with a physical location. I have been unable to identify a legitimate address associated with this Defendant.

42. I examined the website toryburchsale.net and determined that it did not contain any identifiable address or other information sufficient to determine the physical location of the website's operator. I also examined the identification information provided in the WhoIs database for this domain and found the following listed as the address of the registrant of the website, "DHAND 22, Beijing, 100000 CHINA." The address is invalid because it does not include a valid street name or building name or number. Nevertheless, I attempted to search for addresses associated with this website using public database searches and other investigative techniques and did not find any valid locations identified with this domain. Upon information and belief, I have determined that this address is not actually associated

with a physical location. I have been unable to identify a legitimate address associated with this Defendant.

43. I examined the website toryburch-retail.com and determined that it did not contain any identifiable address or other information sufficient to determine the physical location of the website's operator. I also examined the identification information provided in the WhoIs database for this domain and found the following listed as the address of the registrant of the website, "Guangdong Province, shengshencity, luohuushen, lindadao, 168had, Shenzen, Guangdon, China 512205." I have been unable to identify a physical location associated with this address, likely because it does not contain a valid street name or building name or number. Nevertheless, I attempted to search for this address using public database searches and other investigative techniques and did not find any valid locations identified with this purported address. Upon information and belief, I have determined that this address is not actually associated with a physical location. I have been unable to identify a legitimate address associated with this Defendant.

44. I examined the website toryburch-sale.com and determined that it did not contain any identifiable address or other information sufficient to determine the physical location of the website's operator. I also examined the identification information provided in the WhoIs database for this domain and found the following listed as the address of the registrant of the website, "yangxicuun25hao, putian, Fujian, China 351100." I have determined that this is not a valid address, likely because it does not contain a valid street name or building name. Nevertheless, I attempted to search for this address using public database searches and other investigative techniques and did not find any valid locations identified with this purported address. Upon information and belief, I have determined that

this address is not actually associated with a physical location. I have been unable to identify a legitimate address associated with this Defendant.

45. I examined the website jimmyboots.com and determined that it did not contain any identifiable address or other information sufficient to determine the physical location of the website's operator. I also examined the identification information provided in the WhoIs database for this domain and found the following listed as the address of the registrant of the website, "Nanjing, Jiangsu, China 210012." I have determined that this address is not valid because it does not include a valid street or building name or number. Nevertheless, I attempted to search for addresses associated with this website using public database searches and other investigative techniques and did not find any valid locations identified with this website. Upon information and belief, I have determined that this address is not actually associated with a physical location. I have been unable to identify a legitimate address associated with this Defendant.

46. I examined the website likehighheels.com and determined that it did not contain any identifiable address or other information sufficient to determine the physical location of the website's operator. I also examined the identification information provided in the WhoIs database for this domain and found the following listed as the address of the registrant of the website, "Baiyun Rd #188 Kuming, China 650224." I have been unable to identify a physical location associated with this address, likely because it does not contain a valid building name or number. Nevertheless, I attempted to search for this address using public database searches and other investigative techniques and did not find any valid locations identified with this purported address. Upon information and belief, I have

determined that this address is not actually associated with a physical location. I have been unable to identify a legitimate address associated with this Defendant.

47. I investigated Defendant GuiHe Trading Co. Ltd. (“GuiHe Trading”) and determined that it purports to conduct business at “Torch industrial park Shenzhen China Shenzhen Guangdong.” I have determined that this address is invalid because it does not contain a valid postal code, street name or building name or number. I examined the website brandslead.com, associated with GuiHe Trading, and determined that it did not contain any identifiable address or other information sufficient to determine the physical location of the website’s operator. I also examined the identification information provided in the WhoIs database for the domain and found the following listed as the address of the registrant of the website, “chengxiangqu jianshelu, putianshi, fujiansheng, china 351100.” I have determined that this is not a valid address, likely because it does not contain a valid street, building name or number. Nevertheless, I attempted to search for additional address information for this company, but was unable to identify a legitimate address associated with GuiHe Trading. Upon information and belief, I have determined that these addresses are not actually associated with a physical location. I have been unable to identify a legitimate address associated with this Defendant.

48. I investigated Defendant China Sunshine International Trading Co. LTD (“China Sunshine International”) and was unable to identify any identifiable address or other information sufficient to determine the physical location of the company. I examined the website name-brand-online.com, associated with China Sunshine International, and determined that it did not contain any identifiable address or other information sufficient to determine the physical location of the website’s operator. I also examined the identification

information provided in the WhoIs database for the domain and found the following listed as the address of the registrant of the website, “Putian, Fujian, China, 351100.” The address is invalid because it does not contain a valid street, building name or number. Furthermore, I examined the translation of the address, provided by GT, contained on the shipping label that was received with the Counterfeit Product associated with this Defendant. The listed address translated to “Putian Shi Hanjiang Qu Wutang Zhen Wushi Mu Heguan Moju.” This address is invalid because it does not contain a valid postal code, street name, building name or number. Nevertheless, I attempted to search for additional address information for this company, but was unable to identify a legitimate address associated with China Sunshine International. Upon information and belief, I have determined that these addresses are not actually associated with a physical location. I have been unable to identify a legitimate address associated with this Defendant.

I declare under penalty of perjury that the foregoing is true and correct. Executed in Cornelius, North Carolina on December 16, 2010.

A handwritten signature in blue ink, reading "Matthew Hewlett", with a long horizontal flourish extending to the right.

MATTHEW HEWLETT